

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**  
-----X

**21 MC 102 (AKH)**

**AIDA CHALCO,**

**DOCKET NO:  
07 CV 1481**

**Plaintiff,**

**-against-**

**100 CHURCH, LLC, 160 WATER STREET, INC.,  
160 WATER STREET ASSOCIATES, 45 WALL  
STREET LLC., 90 CHURCH STREET LIMITED  
PARTNERSHIP, ALAN KASMAN dba KASCO,  
AMBIENT GROUP, INC., ANN TAYLOR  
STORES CORPORATION, BATTERY PARK  
CITY AUTHORITY, BELFOR USA GRUP,  
INC., BLACKMAON-MOORING STEAMATIC  
CASTOPHE, INC., d/b/a BMS CAT, BOARD  
OF EDUCATION OF THE CITY OF NEW YORK ,  
BOSTON PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, L.P., BROOKFIELD  
PARTNERS, LP., BROOKFIELD PROPERTIES  
CORPORATION, BROOKFIELD PROPERTIES  
HOLDING, INC., CUNNINGHAM DUCT CLEANING  
CO., INC., DEPARTMENT OF BUSINESS  
SERVICES, ENVIROTECH CLEAR AIR, INC.,  
G.L.O. MANAGMENT, INC., GPS ENVIROMENTAL  
CONSULTANTS, INC., HILLMAN ENVIRONMENTAL  
GROUP, LLC., INDOOR AIR PROFESSIONALS, INC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,  
KASCO RESTORATION SERVICES CO., LAW  
ENGINEERING, P.C., MERRILL LYNCH & CO.,**

**NOTICE OF  
ADOPTION  
OF ANSWER TO  
MASTER COMPLAINT**

INC., NEW YORK CITY SCHOOL CONSTRUCTION  
AUTHORITY, NEW YORK UNIVERSITY, NOMURA  
HOLDING AMERICA, INC., NOMURA  
SECURITIES, INTERNATIONAL, INC., ROYAL AND  
SUNALLIANCE INSURANCE GROUP, PLC.,  
STRUCTURE TONE (UK), INC., STRUCTURE  
TONE GLOBAL SERVICES, INC., THAMES REALTY  
CO., TOSCORP, INC., TRC ENGINEERS, INC.,  
TRIBECA LANDING, L.L.C., WESTON SOLUTIONS,  
INC., WFP TOWER B CO., G.P., CORP., WFP TOWER B  
HOLDING CO., LP., WFP TOWER B., CO., LP., WFP TOWER  
D CO., G.P., CORP., WFP TOWER D HOLDING CO.,  
I. LP., WFP TOWER D HOLDING CO., II L.P.,  
WFP TOWER D HOLDING I. G.P., CORP., WFP TOWE D.  
CO., L.P., and ZAR REALTY MANAGEMENT CORP.,

**Defendants.**

-----X  
PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a  
CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO,  
KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by  
Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced  
action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in  
the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC  
102(AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above  
captioned caption action as against it, together with its costs and disbursements and for such other  
and further relief as this Court deems just and proper.

Dated: New York, New York  
February 6, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO.,**  
**INC.**  
RUSSO, KEANE & TONER, LLP  
26 Broadway, 28th Floor  
New York, New York 10004  
(212) 482-0001  
RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiff  
**AIDA CHALOCO**  
115 Broadway 12th Floor  
New York, New York 10006  
(212) 267-3700

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 6th day of February, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiff  
**AIDA CHALCO**  
115 Broadway 12th Floor  
New York, New York 10006

A handwritten signature in black ink, reading "Kevin G. Horbatiuk", written over a horizontal line.

KEVIN G. HORBATIUK